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**Fax Transmission** | June 27, 2005TO: Commissioner for Patents  
Patent Examining Corps  
Facsimile Center  
Alexandria, VA 22313-1450

FROM: Robert A. Kalinsky

OUR REF: MS 150530.1/40062.69US01  
TELEPHONE: 612.336.4771USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 11.

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Document Transmitted: 1. Amendment under 37 C.F.R. § 1.116 responding to final Office Action  
mailed on April 8, 2005.Applicant: **Rodrigues et al.**  
Serial No.: **09/606,961**  
Filed: **June 29, 2000**  
Group Art Unit: **2192**Our Ref. No.: **MS 150530.1/40062.69US01**  
Confirmation No.: **7182**  
Customer No.: **27488**Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider  
this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if  
appropriate.By: Robert A. Kalinsky  
Name: Robert A. Kalinsky  
Reg. No.: 50,471  
RAK:pllI hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on  
the date shown below.Robert A. Kalinsky  
SignatureJune 27, 2005  
Date

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CENTRAL FAX CENTERAMENDMENT UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
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JUN 27 2005

S/N 09/606,961

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rodrigues et al.	Examiner:	Eric B. Kiss
Serial No.:	09/606,961	Group Art Unit:	2192
Filed:	June 29, 2000	Docket No.:	MS 150530.1/40062.69US01
Customer No.:	27488	Confirmation No.:	7182
Title:	Performance Markers to Measure Performance of Features in a Program		

## CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on June 27, 2005.

By: Robert A. Kalinsky  
Name: Robert A. KalinskyAMENDMENT UNDER 37 C.F.R. 1.116Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed on April 8, 2005, please consider and enter the following amendments and remarks. Claims 1-27 are pending in the application.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.